(1) (3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

SINGLE BENCH

WRIT PETITION NO. 3050 OF 2006

PETITIONER

R.K. Mahra, S/o Shri Mohan das Mahra, Aged about 42 years, Assistant Teacher Posted in (Middle School) Government Higher Secondary School Pandariya, District Kabirdham, (C.G.)

P.R. No. 3105/06
Presented by Shri Maheshwar Pandey
dated 27/6/06

V E R S U S

RESPONDENTS

1. State of Chhattisgarh, through:The Secretary, Education Department, DKS Bhawan Raipur (C.G.)

2. The District Education Officer, Kabir Dham, Distt. Kabir Dham, C.G.

3. The Principal, Government Higher Secondary School Pandaria, District Kabir Dham (C.G.)

RECEIVED-COPY
CLERK to A. G. BILASPUR
27/06/06

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS/CERTIORARI ETC. OR DIRECTION/ORDER IN THE LIKE NATURE ETC.

(25)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक .WP.ND..3050/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	28-6-2006:- Heard Shri Rakesh Pandey, counsel for the petitioner. Shri Satish Gupta, Deputy Govt. Advocate for the State/respondents on advance copy. By this writ petition, the petitioner has questioned legality of the letter Annexure-P/1 issued by the District Education Officer, Kabirdham whereby the petitioner was called on 23-6-2006 at 11 a.m. for appearing before the counselling for the purpose of choosing the school according to his choice on the ground of he being surplus employee. Learned counsel for the petitioner argued that as per condition No.5 of the circular Annexure-P/3 dated 2-6-2006 junior most teachers will be declared as surplus whereas, the petitioner is not junior most teacher, therefore, he is being declared surplus contrary to the circular Annexure-P/3. He further submitted that the petitioner may be allowed to make a representation to the District Education Officer, Kabirdham for the above purpose and he be directed to decide representation to which learned counsel for respondents has no objection. Having heard learned counsel for the parties and having perused the circular dated 2-6-2006 issued by the District Education Officer, Kabirdham, the petitioner is allowed to make a detailed representation to respondent No.2 raising all his grievances and in turn respondent No.2 to consider objection raised by the petitioner in the light of circular dated 2-6-2006 issued by him and decide the same, on its own merit, within a period of one month. Till then he shall not be declared as surplus. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P. No.2326/2006 also stands disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	
Barve		

30.6.06